



# **Minutes**

**Ordinary Meeting of Council**

**25 February 2020**



**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 25 FEBRUARY 2020**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY, 25 FEBRUARY 2020  
COMMENCING AT 11.02AM**

**PRESENT:** Councillor Liz Innes, Mayor (in the Chair)  
Councillors Jack Tait, James Thomson, Lindsay Brown, Maureen Nathan,  
Patrick McGinlay, Phil Constable and Rob Pollock OAM

**Staff:** Dr Catherine Dale, General Manager  
Mr L Usher, Director, Planning and Sustainability Services  
Mr C Ginger, Acting Director, Infrastructure Services  
Mr A O'Reilly, Director, Corporate and Commercial Services  
Mrs K Arthur, Director, Community, Arts and Recreation  
Mr J Phillips, Divisional Manager, Governance and Administration  
Mrs K Green, Minute Secretary

**1. WELCOME**

The Mayor welcomed everyone to the meeting.

**2. ACKNOWLEDGEMENT OF COUNTRY**

The Mayor acknowledged the Traditional Custodians of the Land, of Elders past and present, whose land we are gathered here today.

**3. EVACUATION MESSAGE**

The Mayor advised of the Evacuation Procedures.

**4. APOLOGIES**

**20/11 MOTION COUNCILLOR CONSTABLE/COUNCILLOR MCGINLAY**

THAT APOLOGIES BE RECEIVED FROM COUNCILLOR ANTHONY MAYNE AND LEAVE OF ABSENCE BE GRANTED.

(THE MOTION ON BEING PUT WAS DECLARED **CARRIED**)

DIVISION

FOR THE MOTION: CLRS L BROWN, P CONSTABLE, L INNES, P MCGINLAY, M NATHAN, R  
POLLOCK, J TAIT AND J THOMSON.

AGAINST THE MOTION: NIL.

**5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**20/12 MOTION** Councillor Tait/Councillor Pollock

THAT the minutes of the Ordinary Meeting held on 11 February 2020 be confirmed.

(The Motion on being put was declared **CARRIED**)

Division

For the Motion: Clrs L Brown, P Constable, L Innes, P McGinlay, M Nathan, R Pollock, J Tait  
and J Thomson.

Against the Motion: Nil.

**3. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**

Nil

**4. MAYORAL REPORTS**

Nil

**5. NOTICES OF MOTION**

Nil

**6. QUESTIONS ON NOTICE FROM COUNCILLORS**

Nil

**7. PETITIONS**

Nil

**SUSPENSION OF STANDING ORDERS**

**20/13 MOTION** Councillor McGinlay/Councillor Pollock

That Standing Orders be suspended in order to CCSS20/007 Batemans Bay Regional Aquatic,  
Arts and Leisure Centre.

(The Motion on being put was declared **CARRIED**)

Division

For the Motion: Clrs L Brown, P Constable, L Innes, P McGinlay, M Nathan, R Pollock, J Tait  
and J Thomson.

Against the Motion: Nil.

**CCS20/007 BATEMANS BAY REGIONAL AQUATIC, ARTS AND LEISURE CENTRE**

File Ref: S023-T00024

**20/14 MOTION** Councillor Pollock/Councillor Brown

THAT Council proceed to tender for the development of the Batemans Bay Regional Aquatic, Arts and Leisure Centre based on the financial information outlined in the confidential attachment to Report CCS20/007 Batemans Bay Regional Aquatic, Arts and Leisure Centre.

(The Motion on being put was declared **CARRIED**)

Division

For the Motion: Clrs L Brown, P Constable, L Innes, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

At **11:13 am** Councillor Brown left the Chambers.

**RESUMPTION OF STANDING ORDERS**

**20/15 MOTION** Councillor Pollock/Councillor Thomson

That Standing Orders be resumed.

(The Motion on being put was declared **CARRIED**)

Division

For the Motion: Clrs P Constable, L Innes, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

At **11:15 am** Councillor Brown returned to the Chambers.

**GMR20/003 DELIVERY PROGRAM 2017-21 SIX MONTHLY PERFORMANCE UPDATE JULY -  
DECEMBER 2019**

File Ref: E19.1854

**20/16 MOTION** Councillor Pollock/Councillor Nathan

THAT the Six Monthly Performance Update Report July – December 2019 be received and noted.

(The Motion on being put was declared **CARRIED**)

Division

For the Motion: Clrs L Brown, P Constable, L Innes, P McGinlay, M Nathan, R Pollock, J Tait  
and J Thomson.

Against the Motion: Nil.



**8. PLANNING AND SUSTAINABILITY REPORTS**

Nil

**9. INFRASTRUCTURE REPORTS**

**IR20/001 LOCAL TRAFFIC COMMITTEE NO 5 FOR 2019-20**

File Ref: E16.0002

**20/17 MOTION** Councillor Thomson/Councillor Brown

THAT:

1. The minutes of the Eurobodalla Local Traffic Committee Meeting No 4 for 2019-20 be received and noted.
2. Council Plan No. 5208 Set A Sheet 2 detailing the shared path signage and line marking and associated 'No Stopping' signage between house numbers 8 to 10 and 9 to 15 Sunshine Bay Road be approved.
3. Council Plan No. 5156 Set BP Sheet 07 detailing the 'NO PARKING Stand Maximum 2 minutes' signage and line marking associated with the Mosquito Bay Boat Ramp Carpark Lilli Pilli be approved.
4. Council Plan No. 4738 Set C Sheet 15 detailing 'BUS ZONE' and 'NO STOPPING' signage on George Bass Drive south of Sylvan Street, Malua Bay be approved.
5. The following meeting dates be adopted for the Local Traffic Committee in 2019/2020:

<u>Meeting No.</u>	<u>Date</u>
6-19/20	Thursday 6 February 2020
7-19/20	Thursday 5 March 2020
8-19/20	Thursday 2 April 2020
9-19/20	Thursday 7 May 2020
10-19/20	Thursday 4 June 2020
1-20/21	Thursday 2 July 2020
2-20/21	Thursday 6 August 2020
3-20/21	Thursday 3 September 2020
4-20/21	Thursday 1 October 2020
5-20/21	Thursday 5 November 2020
6-20/21	Thursday 3 December 2020

(The Motion on being put was declared **CARRIED**)

Division

For the Motion: Clrs L Brown, P Constable, L Innes, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

**10. CORPORATE AND COMMERCIAL SERVICES REPORTS**

**CCS20/003 ROAD DEDICATION - CONGO ROAD, CONGO**

File Ref: S023-T00023

**20/18 MOTION** Councillor Pollock/Councillor Tait

THAT :

1. The dedication of Lot 1 DP 1251948 to Council for road purposes be accepted.
2. All survey and legal costs to be borne by Council.
3. Consent be given to affix the Common Seal of Council, if required, to all relevant documentation.

(The Motion on being put was declared **CARRIED**)

Division

For the Motion: Clrs L Brown, P Constable, L Innes, P McGinlay, M Nathan, R Pollock, J Tait  
and J Thomson.

Against the Motion: Nil.

**CCS20/004 LEASE ACQUISITION - BATEMANS BAY MINI GOLF**

File Ref: E96.0041

**20/19 MOTION** Councillor Thomson/Councillor Brown

THAT Council note the report.

(The Motion on being put was declared **CARRIED**)

Division

For the Motion: Clrs L Brown, P Constable, L Innes, P McGinlay, M Nathan, R Pollock, J Tait  
and J Thomson.

Against the Motion: Nil.

**CCS20/005 MUSEUM LICENCE - BATEMANS BAY HISTORICAL SOCIETY**

File Ref: S023-T00017/29439

**20/20 MOTION** Councillor Tait/Councillor Pollock

THAT Council grant a 20 year licence to Batemans Bay Historical Society for the purpose of operating a Museum within Lot 101 DP1001026, Batemans Bay commencing on 1 December 2020 and terminating on 30 November 2040 subject to conditions including:

- a. Payment of annual licence fees in accordance with Council's adopted fees and charges;
- b. Provision of evidence of public liability insurance cover in the amount of at least \$20 million; and
- c. Conditions generally in line with the previous licence.

(The Motion on being put was declared **CARRIED**)

Division

For the Motion: Clrs L Brown, P Constable, L Innes, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

At **11:26 am** Councillor Brown left the Chambers.

**CCS20/006 BUDGET REVIEW FOR THE PERIOD ENDING 31 DECEMBER 2019**

File Ref: S011-T00006

**20/21 MOTION** Councillor Tait/Councillor Pollock

THAT:

1. The budget review report for the quarter ended 31 December 2019 be received and noted.
2. The unfavourable variations for the Income Statement after capital revenue of \$6.19 million and favourable variations of \$ 6.77 million as per the Consolidated Fund Flow Statement be adopted.

(The Motion on being put was declared **CARRIED**)

Division

For the Motion: Clrs P Constable, L Innes, P McGinlay, M Nathan, R Pollock, J Tait and J Thomson.

Against the Motion: Nil.

**11. COMMUNITY, ARTS AND RECREATION REPORTS**

Nil

**12. DELEGATE REPORT**

Nil

**13. URGENT BUSINESS**

Nil

**14. DEALING WITH MATTERS IN CLOSED SESSION**

Nil

**At 11:28 am** Councillor Brown returned to the Chambers.

**15. CONFIDENTIAL MATTERS**

Nil

**THE MEETING CLOSED AT 11.28am**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday, 10 March 2020 at which meeting the signature hereon was subscribed.